



10801 University Boulevard • Manassas, VA 20110-2209 USA • Telephone: 703-365-2700 • FAX: 703-334-2932

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.**

To: (Name and Address of Depositor or Attorney)

Philogen S.p.A.  
ATTN: Giovanni Neri  
La Lizza 7,  
Sienna, 53100  
Italy

Deposited on Behalf of: Philogen S.p.A

Date of Receipt of Cultures by the ATCC®: September 25, 2008

Identification Reference by Depositor:

ATCC® Patent Deposit Designation:

E.coli TG1 strain

scFv L-19

PTA-9529

The deposits were received by this International Depository Authority and have been accepted.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC® is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the deposit should die or be destroyed during the effective term of the patent, it shall be your responsibility to replace it with viable material. It is also your responsibility to supply a sufficient quantity for distribution for the deposit term. ATCC® will distribute the material for 30 years or 5 years following the most recent request for the deposit, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

We will inform you of requests for the strains for 30 years from date of deposit.

The deposits were tested September 30, 2008 and on that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA, USA

Signature of person having authority to represent ATCC®:

*Latha Ramakrishnan*

Digitally signed by Latha Ramakrishnan  
DN: cn=Latha Ramakrishnan, o=ATCC,  
ou=IP,Licensing and Services,  
email=lramakrishnan@atcc.org, c=US  
Date: 2008.10.02 11:02:23 -0400

ATCC® Patent Depository

October 02, 2008

Date

cc: Anthony J. Zelano

Ref: Docket or Case No.: ELLIS-00002- CO1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Dario NERI

Examiner: Virginia Allen Portner

Serial No.: 10/321,558

Group Art Unit: 1645

Filed: December 18, 2002

Title: SPECIFIC BINDING MOLECULES FOR SCINTIGRAPHY

**STATEMENT UNDER 37 C.F.R. §1.804(b)**

I, Dario Neri declare that:

1. I am a coinventor of the above-identified application.
2. DNA encoding the antibody L19 as described in the above-identified application, e.g., as prepared in its Examples, particularly Example 2, was prepared prior to the filing of the original priority document for the above-referenced application, U.S. Serial No. 09/075,338 of May 11, 1998. This DNA has at all times since its initial preparation been stored, e.g., in facilities of both the Swiss Federal Institute of Technology (Zurich, Switzerland) and of Philogen s.p.a.(Siena, Italy) and has been the subject of careful controls by such institutions with respect to its storage, handling and replication.
3. Throughout the time period from May 1998 to the present, I have been familiar with these controls and the handling and usage of the samples of the original L19 DNA and replications thereof.
4. Based on my personal knowledge, I confirm that the biological material which was deposited at the American Type Culture Collection, Manassas, VA, on 30 September 2008 and bearing accession no. PTA-9529 is identical to the biological material specifically identified in the above-identified application as L19, as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 3 October 2008

Dario Neri

---

Dario Neri